

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
DECEMBER 19, 1962

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, December 19, 1962. Councilmen Brown, Culbertson, Dow, Ullmann and Katzakian (Mayor) present. None absent.

Also present: City Manager Graves and City Attorney Mullen.

MINUTES Minutes of December 5, 1962 and December 12, 1962, were approved as written and mailed on motion of Councilman Culbertson, Ullmann second.

PUBLIC HEARINGS

CHERRY STREET Notice thereof having been published in accordance with law, Mayor Katzakian called for public hearing on the intention to construct street lights in the Cherry Street Lighting District. There were no protests, written or oral. On motion of Councilman Brown, Dow second, the City Council adopted Resolution No. 2585 overruling protests; on motion of Councilman Dow, Brown second, the Council adopted Resolution No. 2586 ordering the work on the Cherry Street Lighting District; and on motion of Councilman Culbertson, Dow second, the Council adopted Resolution No. 2587 directing that the assessment for the Cherry Street Lighting District be prepared.

RES. NOS. 2585, 2586
AND 2587
ADOPTED

PLANNING COMMISSION

REZONING TO The Planning Commission recommended the rezoning from R-3 SW COR. multiple family residential for property located at the southwest corner of Fairmont Avenue and Cardinal Street, more particularly described as Lot 3, Glenhurst Place No. 1. The proposal to rezone was set for public hearing on January 2, 1963 on motion of Councilman Brown, Dow second.

FAIRMONT &
CARDINAL ST.

FINAL MAP The final map of the Lake Lawn Subdivision was presented for Council approval, the subdivider having complied with all the provisions of the Subdivision Ordinance. However, the Map Filing Report indicates there are two easements on the property which are covered by other easements shown on the map. The Director of Public Works feels that it would be desirable to abandon these recorded easements after the map has been recorded in order to simplify future title reports. One easement is to the City and the other to the Telephone Company. He expects to get information December 20 as to whether or not these two easements should be indicated on the subdivision map. Councilman Dow moved that the final map of Lake Lawn Subdivision be approved, subject to making a notation of the two recorded easements on the map if required. The motion was seconded by Councilman Ullmann and carried.

LAKE LAWN
SUBDIVISION

COMMUNICATIONS

SENIOR A letter was received from the Senior Citizens Club of Lodi thanking the Council for having offered the

CITIZENS

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club a site at the American Legion Park for the building of their center and explaining the reasons they decided to purchase the building at 113 North School Street for this purpose instead of attempting to finance construction of a building at the park site.

PETITION
FAVORING
REZONING
N SIDE OF
LODI AVE.
TO C-P

A communication was received signed by approximately 1125 persons expressing support of any action toward establishing the north side of Lodi Avenue between California Street and Ham Lane as a commercial-professional zone since they are of the opinion that C-P zoning is ideal to serve as a buffer between hard commercial and residential areas and urging the Council to consider and act upon this matter. City Attorney Mullen stated that this was not an initiative petition and that the Council could either file the request or initiate the rezoning. Mr. William Rempfer, 115 South Fairmont Avenue, stated that he had circulated the petition as he wanted to give the Council the feeling of the public on the Lodi Avenue situation. He felt that Councilmen Dow, Ullmann and Brown would favor the rezoning. Councilman Dow stated that he was cognizant that the petition had no legal weight but that it represented a large segment of the voters and he moved that the Council reconsider the problem of commercial-professional zoning on the north side of Lodi Avenue between California Street and Ham Lane and that it be set for public hearing. The motion died for lack of a second. Mr. Rempfer indicated that he felt he was being discriminated against. The City Manager stated it was not a question of personalities, that property on the north side of Lodi Avenue had been rejected for commercial zoning before Mr. Rempfer had purchased his property. The City Attorney said that even if the Council initiated rezoning, it would require a 4/5's vote of the Council to adopt it if 20% of the property owners in the area protested. Councilman Culbertson moved that the letter signed by people in favor of rezoning the north side of Lodi Avenue to C-P be filed and no action taken. The motion was seconded by Councilman Brown who stated that he had voted for the rezoning once, but that the Court had since ruled on the case and he saw no reason for taking action unless required by an initiative petition. The motion was passed by unanimous vote.

RETIREMENT
DATES FOR
LIBRARIAN &
FIRE CHIEF
EXTENDED

City Manager Graves then presented two letters requesting postponement of retirement date for Fire Chief George Polenske and City Librarian Amy Boynton. A letter from Chief Polenske requested that his retirement, which would be effective January 31, 1963, be postponed to June 30, 1963, since he is presently serving as President of the California Fire Chiefs' Association and the Northern California Fire Chiefs' Association and would like to complete his term in these offices. The second letter was from the Board of Library Trustees requesting an extension of six months of active duty for Miss Boynton whose retirement date is December 31, 1962. The letter states that such action would be for the good of the City service since it is difficult to fill this position and her services will be needed until a successor is hired. Mr. Graves said that the City Code requires that

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requests for extension of active duty be made to the department head six months in advance of the retirement date, that the request with his recommendation must then be forwarded to the Pension Board for its recommendation to the City Council thirty days before the retirement date. Neither employee had been aware of these requirements. The Pension Board had met on December 19, 1962 at 4 p.m. to consider the requests and recommended that the requests be denied for the following reasons:

1. They do not clearly and substantially meet the requirements of Section 17-27 of the Code as being unusual cases involving the good of the City services.
2. The requests had not been submitted in writing to the City Manager in accordance with the Code.
3. It was thought that an action granting these requests would possibly set a precedent which would be detrimental to those already retired and possibly prejudicial to future requests for extension of time.
4. Retaining the employee beyond the retirement date would mean further expense to the City involving his retirement cost.

The City Manager recommended that the Fire Chief's request be granted. The Assistant Chief has only held his present position for eight months and another five months under the Chief would be desirable; also, a City employee is rarely honored with such high office in a state-wide professional association and some prestige of such an office is reflected on the City. Councilman Brown, who is a member of the Pension Board, said the Board had taken the only stand it could according to the Code. He said the Board intended to make a study towards revising this section of the Code. Mayor Katzakian said that the Chief's being a president in a state-wide organization was a feather in the cap of the City and that he should be given the opportunity to finish his term. Councilman Culbertson said it would be an advantage to the City to retain the Chief another five months to aid the Assistant Chief and to help with the Capital Improvement Program. Councilman Culbertson then moved that the retirement date for Fire Chief Polenske be extended to June 30, 1963 since service to the City is involved. Motion was seconded by Councilman Dow and carried.

Judge Bainbridge, who is a member of the Board of Library Trustees, stated that he had always thought that June 30, 1963 was Miss Boynton's retirement date. Also, in reading the pertinent section of the Code, he was not sure if it pertained to department heads. It was his opinion that her service should be extended for the good of the City service. The Board expects to find a suitable replacement within that period. Councilman Dow stated that the Library Board had acted in good faith and planned for the good of the Library and he moved that the retirement date for City Librarian Amy Boynton be

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extended to June 30, 1963. Motion was seconded by Councilman Ullmann and carried. It was the opinion of the Council that the City Manager and City Attorney should study Section 17-27 of the Code with a view toward making revisions.

REPORTS OF THE CITY MANAGER

CLAIMS Claims in the amount of \$152,443.06 were approved on motion of Councilman Dow, Culbertson second.

AWARD - The following bids were received for asbestos
WATER PIPE cement water pipe:

RES. NO. 2588	Johns Manville Sales Corp.	\$55,190.00
ADOPTED	Pipeline Supply Company	53,020.00
	Republic Supply Co., of Calif.	51,415.00

The City Manager recommended that award be made to the low bidder. On motion of Councilman Brown, Dow second, the City Council adopted Resolution No. 2588 awarding the contract for supplying asbestos cement pipe to Republic Supply Company of California for a total amount of \$51,415.00.

AWARD - Bids for the sprinkler system at Blakely Park were
SPRINKLERS received as follows:

RES. NO. 2589	Delta Pipe and Supply	\$ 5,283.79
ADOPTED	Tay-Holbrook Co., Inc.	4,345.69
	Rainmaker Pipe Company	4,229.18
	San Joaquin Pump Company	4,058.60
	Nor Mac, Inc.	4,019.88

On motion of Councilman Brown, Ullmann second, the City Council adopted Resolution No. 2589 awarding the contract for the sprinkler system to Nor Mac, Inc. for a total of \$4,019.88.

WITHDRAW City Manager Graves stated that annexation of the
GINOCCHIO ADDN Ginochio Addition had been completed and it was
FROM WRCFPD now in order to withdraw the property from the
Woodbridge Rural County Fire Protection District.
RES. NO. 2590 Councilman Culbertson moved the adoption of
ADOPTED Resolution No. 2590 withdrawing the Ginochio
Addition from the Woodbridge Rural County Fire
Protection District. The motion was seconded by
Councilman Brown and carried.

EXTRA Mr. Graves reported that he had received a bulletin
HOLIDAY AT from the League of California Cities in regard to
CHRISTMAS the Governor's proclamation declaring December 31
OR NEW YEAR'S a holiday for State employees. According to the
League's explanation, the Governor's proclamation
has no effect on the City of Lodi employees since
the City has an ordinance specifying City holidays.
If the Council wished to declare December 31 a
holiday, it would have to pass an emergency ordinance.
He then explained that in the past when Christmas
and New Year's falls on a Tuesday or Thursday, the
City Council has permitted the City to function
with a skeleton crew in those instances where it
would not affect City services on the Mondays or
Fridays next to the holidays as the case may be.
This allows at least some of the employees to have
one day off. Councilman Brown moved that the City
follow past procedures in allowing employees an

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extra holiday providing it did not interfere with City services. The motion was seconded by Councilman Culbertson and carried.

SPECS -
TRUCKS

Specifications for one flatbed 2T truck, one 2T dump truck and one 1/2T pickup truck were approved and advertising for bids authorized on motion of Councilman Culbertson, Ullmann second.

SPECS -
AUTOMOBILES

Specifications for two standard sedans and three compact cars were approved and advertising for bids thereon authorized on motion of Councilman Brown, Ullmann second.

GROUP
MEDICAL
INSURANCE

Mr. Graves said that word had been received from the Pacific Mutual Life Insurance Company that the medical insurance group program for employees had been liberalized by the provision of an automatic annual reinstatement policy which will automatically restore up to \$1,000 in medical benefits as of each January 1 for individuals and/or insured dependents who have used benefits in the past twelve months.

WORK ON
CORPORATION
YARD PLANS

The City Manager stated that the Director of Public Works would like to have one of his employees work on plans for the Corporation Yard and that he be paid for overtime on this project. He would also work on it during regular working hours when time was available. Since it is a Capital Improvement project, the funds would be charged against the Capital Outlay Reserve. On motion of Councilman Dow, Brown second, the Council approved the overtime work on Corporation Yard plans.

ORDINANCES

POLICE
AUXILIARY

ORD. NO. 741
ADOPTED


ORDINANCE NO. 741, entitled "AN ORDINANCE OF THE CITY OF LODI ESTABLISHING THE LODI POLICE AUXILIARY AND REPEALING ORDINANCE NO. 279," having been introduced at the regular meeting of December 5, 1962, was brought up for passage on motion of Councilman Dow, Culbertson second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - BROWN, CULBERTSON, DOW,
ULLMANN and KATZAKIAN

NOES: Councilmen - NONE

ABSENT: Councilmen - NONE

The Council then adjourned.


Attest: BEATRICE GARIBALDI
City Clerk